PETITION FOR ZONING VARIANCE N/S Flagstone Drive, 312' SW of the c/l of Cub Hill Rd. Ext. (9410 Flagstone Drive) 9th Election District

Petitioner

welfare of the community.

the event that this Polition is

in the event that this Polition is granted, a building permit may be itsued within the thirty (30) day apprai puriod. The Zoning Commissioner wis, however, entertain any request for a stay of the issuence of sair permit during this period for gond cause shown. Such request must be in writing and received in this office by the date of the hearing set above or preserved at the receing.

\* DEPUTY ZONING COMMISSIONER \* OF BALTIMORE COUNTY

6th Councilmanic District \* Case No. 89-359-A Virginia M. Huettner

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

\* \* \* \* \* \* \* \* \* \* \*

The Petitioner herein requests a variance to permit a front yard setback of 31.8 feet in lieu of the required front yard average of 50.4 feet for a proposed addition, in accordance w. h Petitioner's Exhibit 1.

The Petitioner, by Gary N. Huettner, her son, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 9410 Flagstone Drive, consists of .465 acres zoned D.R. 2, has been the Petitioner's residence for the past 22 years. The Petitioner is desirous of having her son and his family reside with her as the property has become a burden for her since the death of her husband approximately 3 years ago. In order to provide adequate space for her son's family, the Petitioner proposes having an addition constructed as set forth in Petitioner's Exhibit 1. Petitioner and her son's family would reside together as a family. Testimony indicated that prior to filing the instant Petition, Petitioner discussed her plans with her neighbors who have indicated they have no objection to her plans. Mr. Huettner contended that the granting of the variance will not result in any detriment to the health, safety or general

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Com-

missioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

lic hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Zoning Variance to permit a front yard setback of 31.8 feet in lieu of the required front yard average of 50.4 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to

Petitioner shall not allow or cause the proposed

- MN-s trawing ANN M. NASTAROWICZ Deputy Zoning Commissioner

for Baltimore County

Pursuant to the advertisem at, posting of the property, and pub-

Baltimore County this 15th day of March, 1989 that the Petition for the relief granted:

> 1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

addition to be converted to a second dwelling unit and/or apartment. The addition shall contain no kitchen facilities.

Number of Signs: \_\_\_\_\_

## ZONING DESCRIPTION

Being on the north side of Flagstone Drive 50 feet wide, BIZ Thompswest ortherek (FEXTENCIAR Being Lot 3, Block B in the subdivision of Harrington Manor. Book No. 18 Folio 126. Also known as 9410 Flagstone Drive in the 9th Election District.

> CERTIFICATE OF PUBLICATION N HOTHE OF HEARING The Zering Commissioner of Baltimore County, by authority of the Zoning Act and Recytations of the Zoning Act and Recytations of Baltimore County will hold a public hearing on the property tonsified herein in Teom 166 of the County Office Building, located at 111 W. Cheappeake Availle in Toward, Maryland 21204 as follows:
>
> Petition for Zoning Variance Case number: 89-359-A NS. Flagmone, Drive.
>
> Petition for Zoning Variance Case number: 89-359-A NS. Flagmone, Drive.
>
> SW of Extended Cub Hill Flood
>
> 9410 Flagstone Road
>
> 9410 Flagstone Road
>
> 941 Department.
>
> Petitioner(s):
>
> Virginia M. Huettner
>
> Variance: to allow a front yard setback of 31.8 g in feu of the required front yard average of 50.4 lest.
>
> In the event that this Demonstrations TOWSON, MD., February 20, 1989 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on

Feb 16 , 19.89.

NORTHEAST TIMES ~ THE JEFFERSONIAN,

5: Zefre Orlan

PO 09760 nea M25265 CA 89-359-A price \$74.86

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Petitioner: Mirginia M. Huettour Location of property. N/S Flags /crie Drive, 3/21 5w/Fx/Cob Hill R.L. Location of Signer Facing Flags Tons Peter appros 10' Fm. Posted by Militaries Date of return: 3/24/89

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

Baltimore County

(301) 887 3353

J. Robert Haines

Zoning Commissioner

Office of Planning & Zoning

Ms. Virginia M. Huettner

Baltimore, Maryland 21234

Case No. 89-359-A

Dear Ms. Huettner:

AMN:bjs

cc: People's Counsel

File

RE: PETITION FOR ZONING VARIANCE

(9410 Flagstone Drive)

Virginia M. Huettner - Petitioner

in accordance with the attached Order.

9410 Flagstone Drive

March 15, 1989

N/S Flagstone Drive, 312' SW of the c/l of Cub Hill Road Ext.

Enclosed please find a copy of the decision rendered in the

In the event any party finds the decision rendered is unfavor-

Very truly yours,

ANN M. NASTAROWICZ

Date: 3-6-89

for Baltimore County

IL M. Nistania

Deputy Zoning Commissioner

above-captioned matter. The Petition for Zoning Variance has been granted

able, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on

filing an appeal, please contact is. Charlotte Radcliffe at 494-3391.

9th Election District - 6th Councilmanic District

Dennis F. Rasmussen

Towson, Maryland 21204

J. Robert Haines Zoning Commissioner Mrs. Virginia M. Huettner

9410 Flagstone Drive Baltimore, Maryland 21234 Petition for Zoning Variance

Case Number: 89-359-A Hearing: March 9, 1989 at 2:00 p.m.

Dear Petitioner:

Please be advised that 89.86 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building Room 111, Towson, Maryland 21204 fifteen (15) minutes before

	BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	No. 067457	post set(s), there each set not
	DATE 3/9/89 ACCOUNT /	R-01-615-000	-
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	FOR: PA for 3/9/89/ear	7 89-359-A	ner of
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VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR ZONING VACANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section \_\_ III \_ 14.C.2 (1945 regulations) \_\_ To allow a

\_front\_yard\_setback\_of\_31.8\_ft.\_in\_lieu\_of\_the\_required\_front\_\_\_\_ yard average of 50.4 ft. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

I desire to attach an addition to my residence, which would permit my son and his family to move into my residence.

To deny this use would prevent me from maintaining this as my primary residence since I am unable to care for the property alone. If this variance is denied, the alternate location of the addition (to the rear of the existing house) would create an extreme hardship in that irreplaceable mature trees and landscaping would be destroyed and the entire septic system would have to be replaced.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting

	peution, and furthe Baltimore County a	r agree to and are to dopted pursuant to th	be boun he Zoning	d by the zoning regulations a Law For Baltimore County.	upon filing of this nd restrictions of
CONTROL PRINT AGENCY	POR PROMITED	BALTII OFFICE MISCE		I/We do solemnly of under the penalties of pare the legal owner(s) which is the subject of the Legal Owner(s):  Virginia M. Huettner (Type or Print Name)	of the property his Petition.  123 11612 1
VALIDATION PLANTOLINA	אניבמביניץ אניני פיניא אחבגבילים	CASH		Signature  (Type or Print Name)	DATE WITHOUT TOO JOF.
NOW BION	AMOU	MARYLAND ENUE DIVISIO RECEIPT		Signature	DP.
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CABHIER	6			BALTIMORE IN City and State	
65		6. OS		Name, address and phone number of tract purchaser or representative to	0 be contacted
		059193		GARY N. HUETTI Name G512 LOCA HILL 7	
			ner of Ba	Address ZIZ 39	Phone No.
S of	equired by the Zonin	g Law of Baltimore (	hat the si County, in	ubject matter of this petition b	e advertised, as
1 2 7 70	viumissioner of Rait	1770/178 ("Minder in "D.		two newspapers of general circ hat the public hearing be had be County Office Building in Toward, 19. 37, at	SIUSE THE ZONING
	М.	·	0	Relia - 11	o'clock

Zoning Commissioner of Baltimore County. DIMATED LENGTH OF HEARING **1/298** AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS OTHER PLEASE DO NOT SCHEDULE HAND DURING MAR 22 THRU MAR 29

CHEMED BY:

MAR 22 - 19.

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

> J. Robert Haines
> Zoning Commissioner February 6, 1989

> > NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance CASE NUMBER: 89-359-A N/S Flagstone Road Drive, 312 SW c/l Extended Cub Hill Road 9410 Flagstone Road 9th Election District - 6th Councilmanic Petitioner(s): Virginia M. Huettner HEARING SCHEDULED: THURSDAY, MARCH 9, 1989 at 2:00 p.m.

Variance to allow a front yard setback of 31.8 feet in lieu of the required front yard average of 50.4 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

cc: Mrs. Virginia M. Huettner Mr. Gary N. Huettner

-SUBJECT PROPERTY

89-359-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 4th day of January , 1989.

James E. Dyer Petitioner Virginia M. Ruettner Received by: Chairman, Zoning Plans Advisory Committee Petitioner's Attorney

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 27, 1989

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Baltimore, MD 21234 RE: Item No. 265, Case No. 89-359-A Petitioner: Virginia M. Huettner

Ms. Virginia M. Huettner 9410 Flagstone Drive

Department of Traffic Engineering State Roads Commissio Bureau of Fire Prevention Health Department Project Planning Building Department

Board of Education Zoning Administration

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of

Petition for Zoning Variance

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the

Planning may file a written report with the Zoning Commissioner

with recommendations as to the suitability of the requested

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVEANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

enclosed filing certificate and a hearing scheduled

Zoning Plans Advisory Committee

Enclosures

accordingly.

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

January 17, 1989

Dennis F. Rasmussen

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines: The Bureau of Traffic Engineering has no comments for item numbers 210, 259, 260, 261, 262, 263, and 265,

Traffic Engineer Associate II

Baltimore County Fire Department Towson, Maryland 21204 2586 494-4500 Paul H. Reincke

January 12, 1989

J. Robert Haines, Zoning Commissioner Office of Planning & Zoning Baltimore County Office Building Towson, Maryland 21204

Re: Property Owner: Virginia M. Huettner

Cub Hill Road Item No.: 265

Location: N/S Flagstone Dr., 312' SW of c/1 of extended

N/S Flagstone Dr., 312' SW of c/1 of extended

County Executive Zoning Agenda: Meeting of 1/3/89

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEFDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Catt Local Melly 1-16-89

Planning Group

Special Inspection Division

NOTED & APPROVED:

Fire Prevention Sureau

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: January 24, 1989

FROM: Robert W. Bowling, P.K.

RE: Meeting of January 3, 1989

The Developers Engineering Division has reviewed the zoning items for the subject meeting. We have no comments for Items 210, 259, 261, 262, 263, and 265.

For Item 260, The Trustees of Mount Carmel Methodist Episcopal Church the following comment applies:

Mt. Carmel Road is a State Road. Prettyboy Dam Road is an existing County road, which shall ultimately be improved as a 40-foot cross-section on a 60-foot right-of-way. The property owner is responsible to dedicate the right-of-way and necessary slope easements, at no cost to the County.

ROBERT W. BOWLING, P.E., Chief Developers Engineering Division

Encls.

RWB:s

BATIMORE COUNTY, MAR AND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines

Date March 7, 1989 TO Zoning Commissioner

FROM Office of Planning and Zoning

Pat Keller, Deputy Director Zoning Petition Nos. 89-308-SPH (Jefferson); 89-318-A (Podles); 89-350-A SUBJECT (Khouzami); 89-354-A (Smith); 89-359-A (Heuttner); 89-363-A (Cash);

89-364-A (Kaplan); 89-368-A (Appel); 89-369-A (Mathai); 89-375-A (Vinson); 89-376-A (Gambrill); 89-378-A (Lim); 89-379-A (Freundlich); 89-387-A (Babikow) and 89-393-A (Lubman)

The Office of Planning and Zoning has no comment on the above listed

PK/sf

ZONING OFFICE